

**REMARKS/ARGUMENTS**

The present reply is responsive to the Office Action dated September 20, 2005. Claims 1 and 3-38 were rejected. Claims 1, 14, 16-17, 25, 27, 29, 30, 33-34 and 36 have been amended. No new matter is added by these amendments. Support for the amendments may be found, by way of example only, in specification paragraphs 0044-0047 and in FIGS. 5A and 7A-B. Claims 15 and 32 have been cancelled. Therefore, claims 1, 3-14, 16-31 and 33-38 are again presented for the Examiner's consideration in view of the following comments. A request for continued examination is respectfully submitted herewith.

Reexamination and reconsideration of the above-identified application, pursuant to and consistent with 37 C.F.R. § 1.116, and in light of the amendments and remarks that follow, are respectfully requested. Because the present claims are believed to be in condition for allowance over the cited art, good cause exists for the entry of this amendment in accordance with 37 C.F.R. § 1.116.

Claims 1-10 and 14-28 were rejected as being anticipated by U.S. Patent Publication No. 2002/0056541 ("*Kokubunji*"). Claims 1, 14, 25 and 27 are independent. Applicants respectfully traverse the rejection.

As discussed in the response to the previous Office Action, which is hereby incorporated by reference, *Kokubunji* discloses a mounting structure for a heat exchanger such as a radiator mounted in a vehicle. (See Abstract.) The rejection identifies various elements in *Kokubunji* as reading on each and every claim limitation. However, as explained in the previous response, *Kokubunji* itself and the elements identified therein are wholly unrelated to the claimed invention.

According to *Kokubunji*, "The present invention relates to a mounting structure for a heat exchanger, and a duplex heat

exchanger. The present invention is suitable for mounting a heat exchanger, such as a radiator for cooling a vehicle engine or a condenser of a car air-conditioner, to a vehicle." (Published application, paragraph 0002.) There is no discussion whatsoever that the heat exchanger mounting structure is in any way capable of engaging a slat wall. *Kokubunji* goes on to state "reference numeral 211 denotes a plurality of aluminum radiator tubes (first tubes) through which cooling water flows, and reference numeral 212 denotes an aluminum radiator fin having a corrugated shape bonded to an outer surface of the radiator tubes 211 for enhancing the heat exchange between cooling water and air. A generally rectangular radiator core (first core) 210 for exchanging heat between cooling water and air is constituted by the radiator fin 212 and the radiator tubes 211." (Published application, paragraph 0026, emphasis added.) Thus, it should be clear that the radiator fin 212 and the radiator tubes 211 are the radiator core 210, and that none of these elements are the same or equivalent to the main body and mount of independent claims 1, 14, 25 and 27. In addition, *Kokubunji* states "Reference numeral 220 denotes a radiator tank (a first header tank) arranged at longitudinal opposite ends of the radiator tubes 211 and extending vertical to the longitudinal direction of the radiator tubes 211." (Published application, paragraph 0027.) The radiator tank 220 is simply not the first and second arms of the main body as required by claims 14 and 27.

The Examiner admits that the brackets 300 of *Kokubunji* "are fixedly secured to the main body" but also states that the lower brackets "can be adjusted independently by removing the bolts (330)." (Office Action, pgs. 2-3.) As stated in *Kokubunji*, "As shown in FIG. 1, brackets 300 are arranged at longitudinal opposite ends of the condenser tanks 120 and the radiator tanks 220, for mounting the radiator 200 and the condenser 100 to the vehicle." (Published application,

paragraph 0037.) *Kokubunji* permits for replacement of the brackets. "Even if mounting manner of the radiator 200 or others (such as a distance between the attachment pins 340 or a size of the attachment pins 340) are different from each other in accordance with kinds of vehicles, such a problem may be solved by the replacement of the bracket 300, since the bracket 300 and the tank cap 122, 222 are separate parts and the bracket 300 is coupled to the tank caps 122, 222." (Published application, paragraph 0049.) Nonetheless, *Kokubunji* neither discloses nor suggests that an upper (or lower) one of the brackets 300 is adjustable relative to a lower (or upper) one of the brackets.

Independent claims 1, 14 25 and 27 have been amended to further distinguish over *Kokubunji*.

Claim 1 now recites "wherein the second clip assembly is spaced apart from the first clip assembly, at least one of the upper clip or the lower clip of the first clip assembly is adjustable relative to the other one of the upper clip and the lower clip thereof, and at least one of the upper clip or the lower clip of the second clip assembly is adjustable relative to the other one of the upper clip and the lower clip thereof."

Claim 14 has been amended to incorporate the elements of cancelled claim 15, and now recites "a first clip assembly adjustably mounted to the first arm and engageable with the slat wall, the first clip assembly including an upper clip and a lower clip, the upper clip being engageable with an upper section of the slat wall, and the lower clip being engageable with a lower section of the slat wall; and a second clip assembly adjustably mounted to the second arm and engageable with the slat wall, the second clip assembly including an upper clip and a lower clip, the upper clip being engageable with the upper section of the slat wall, and the lower clip being engageable with the lower section of the slat wall; wherein the

channel is so dimensioned that at least one cable of an electrical component supported by the mounting device is insertable through the channel between the main body and the slat wall, at least one of the upper clip or the lower clip of the first clip assembly is adjustable relative to the other one of the upper clip and the lower clip thereof, and at least one of the upper clip or the lower clip of the second clip assembly is adjustable relative to the other one of the upper clip and the lower clip thereof."

The first and second fastening means of claim 25 and 27 have been amended to each include first and second engaging means. Claim 25 has also been amended to state "wherein the second fastening means is spaced apart from the first fastening means, at least one of the first engaging means or the second engaging means of the first fastening means is adjustable relative to the other one of the first engaging means and the second engaging means thereof, and at least one of the first engaging means or the second engaging means of the second fastening means is adjustable relative to the other one of the first engaging means and the second engaging means thereof." Claim 27 has been similarly amended.

In independent claims 1 and 14, at least one of the upper or lower clips of the clip assemblies is adjustable relative to the other clip in the respective assembly. In independent claims 25 and 27, at least one of the first or second engaging means of the fastening means is adjustable relative to the other engaging means of the respective fastening means. *Kokubunji* simply does not teach or suggest adjustment of one bracket in an "assembly" relative to another bracket in the same assembly.

Thus, for at least these reasons, *Kokubunji* neither teaches nor suggests each and every limitation of independent claims 1, 14, 25, and 27. Therefore, applicants respectfully

request reconsideration and allowance of these claims. Claims 3-13, 16-24, 26 and 28 depend from claims 1, 14, 25 and 27, respectively, and contain all of the limitations thereof as well as other limitations that are neither disclosed nor suggested by the prior art of record. Accordingly, applicants submit that the dependent claims are likewise patentable.

Claims 29-38 were rejected as being obvious over *Kokubunji* in view of U.S. Patent No. 4,386,500 ("*Sigafoose*"). Applicants respectfully traverse the rejection.

The Office Action admits that *Kokubunji* "does not disclose the components of the mounting structure in a kit. *Sigafoose* discloses providing a kit with components for conversion and installation of a heat exchanger. It would have been obvious to one of ordinary skill in the art at the time of the present invention to have provided the components of *Kokubunji et al.*, in a kit as taught by *Sigafoose*, for the purpose of simplifying conversion and installation of the system." (Office Action, pg. 3.)

As discussed extensively in the previous reply, the combination of *Kokubunji* and *Sigafoose* does not result in the claimed invention and there is no motivation to combine the references to arrive at the invention.

Independent claims 29 and 30 have been amended to further distinguish over *Kokubunji*.

Claim 29 now recites "interchangeable sets of first fastening means capable of being attached to the main body, the sets first fastening means each capable of engaging the slat wall, each of the first fastening means sets including first and second engaging means; and interchangeable sets of second fastening means capable of being attached to the main body, the sets of second fastening means capable of engaging the slat wall, each of the second fastening means sets including first

and second engaging means; wherein the sets of first and second fastening means for attaching to the main body can be selected depending on the structure of the slat wall, at least one of the first and second engaging means of the first fastening means is adjustable relative to the other one of the first and second engaging means thereof, and at least one of the first and second engaging means of the second fastening means is adjustable relative to the other one of the first and second engaging means thereof."

Claim 30 now incorporates the limitations of cancelled claim 32, and states "a first clip assembly capable of being attached to the main body, the first clip assembly capable of engaging the slat wall, the first clip assembly including an upper clip and a lower clip, the upper clip being engageable with an upper section of the slat wall, and the lower clip being engageable with a lower section of the slat wall; and a second clip assembly capable of being attached to the main body, the second clip assembly capable of engaging the slat wall, the second clip assembly including an upper clip and a lower clip, the upper clip being engageable with the upper section of the slat wall, and the lower clip being engageable with the lower section of the slat wall; wherein at least one of the upper clip or the lower clip of the first clip assembly is adjustable relative to the other one of the upper clip and the lower clip thereof, and at least one of the upper clip or the lower clip of the second clip assembly is adjustable relative to the other one of the upper clip and the lower clip thereof."

As discussed above with regard to the rejection of claim 1-10 and 14-28, *Kokubunji* does not teach or suggest adjustment of one bracket in an "assembly" relative to another bracket in that assembly, as the brackets may be replaceable but are otherwise fixedly secured to the "main body." The "heat saving conversion unit for hot water heaters" of *Sigafoose* does

not overcome the deficiencies of *Kokubunji*. Furthermore, as discussed extensively in the previous reply, there is no motivation to combine the teachings of *Kokubunji* and *Sigafoose*, notwithstanding the Examiner's assertion that it "would have been obvious to provide components in a kit for the purpose of simplifying conversion and installation of the system."

*Sigafoose* states "A further object of the present invention is to provide conversion equipment and structure as needed for efficient energy conversion of waste heat to heat hot water which equipment is provided in kit form for easy installation by the average homeowner. The kit is supplied in a container having all of the required elements needed for such conversion and installation with existing heating and cooling systems as common in the average house." (Col. 1, line 63 to col. 2, line 3.) According to *Kokubunji*, "The present invention is suitable for mounting a heat exchanger, such as a radiator for cooling a vehicle engine or a condenser of a car air-conditioner, to a vehicle." (Published application, paragraph 0002.) The generic motivation attributed to *Sigafoose* for modifying *Kokubunji* has nothing at all to do with a "kit of wall mounting assembly components for securing a mounting device to a slat wall" as claimed in independent claims 29 or 30.

In view of the foregoing, it is respectfully submitted that independent claims 29 and 30 patentably distinguish over *Kokubunji* and *Sigafoose*, both individually and in the combination, albeit improper, that the Examiner suggests can be made therefrom. Therefore, applicants respectfully request reconsideration and allowance of these claims. Claims 31 and 33-38 depend from claim 30 and contain all of the limitations thereof as well as other limitations that are neither disclosed nor suggested by the prior art of record. Accordingly, applicants submit that the dependent claims are likewise patentable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have. If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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